

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

VITO LUCIA,

Plaintiff,

v

STEVEN J. CRISAMORE, and
OJC TRUCKING, INC.,

Defendants.

CASE NO.

HON.

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NOTICE OF FILING REMOVAL NOTICE

To: THE JUDGES OF THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

1. April 5, 2021, an action was filed against defendants Steven J. Crisamore and OJC Trucking, Inc., in the Circuit Court for the County of Macomb, State of Michigan entitled Vito Lucia vs. Steven J. Crisamore and OJC Trucking, Inc., Case No. 2021-001231-NI, and said action was allegedly commenced by service of a copy of the Complaint and Summons upon Defendants OJC Trucking, Inc. via certified mail (although no return receipts

proving service have been provided). Plaintiff is seeking alternate service on defendant Steven J. Crisamore. A copy of the complaint is attached as **Exhibit A.**

2. The above described action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1332 and is one which may be removed to this court by petitioner defendants herein, pursuant to the provisions of 28 U.S.C. § 1441, in that it is a civil action wherein the matter in controversy is in excess of the sum or value of \$75,000, exclusive of interest and costs and is between citizens of different states. The Plaintiff at the time this action was commenced, upon information and belief, was and still is a citizen of Michigan. However, both defendants, at the time this action was commenced, were all citizens or corporations from Indiana. None of the defendants are citizens of Michigan or corporations with a principal place of business in Michigan.

3. Defendant OJC Trucking, Inc. desires to remove this action to this Court as provided in 28 U.S.C. § 1446 and does so within 30 days of service, which resulted in complete diversity of citizenship and proper jurisdiction with the Federal Court.

WHEREFORE, Defendant OJC Trucking, Inc. notifies all parties that the above action now pending in the Circuit Court for the County of Macomb

in the State of Michigan is removed to the United States District Court for the Eastern District of Michigan.

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on May 20, 2021, by:

- | | |
|--|--|
| <input type="checkbox"/> U.S. Mail | <input type="checkbox"/> Fax |
| <input type="checkbox"/> Hand Delivered | <input type="checkbox"/> Overnight Courier |
| <input type="checkbox"/> Federal Express | <input checked="" type="checkbox"/> E-Filed |

Signature: /s/ Barbara B. Osentoski
Barbara B. Osentoski

Respectfully submitted,

WARD, ANDERSON, PORRITT,
BRYANT, LORD & ZACHARY

By: /s/ **RUSSELL W. PORRITT II**
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DATED: May 20, 2021